

FISCAL NOTE

SB 284 - HB 912

March 19, 2007

SUMMARY OF BILL: Authorizes the State to call a forensic interviewer as a witness in cases involving aggravated child abuse, aggravated sexual battery, rape of a child, aggravated rape of a child, solicitation of a minor, soliciting sexual exploitation of a minor, and sexual exploitation of a minor when the victim is less than 13 years of age.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$351,600 / Incarceration*

Assumptions:

- According to the Department of Correction (DOC), the average operating cost per inmate per day for calendar year 2007 is \$60.16.
- One Class A felony for rape of a child every five years will serve an additional 17.6 years (an increase from 2.4 years to 20 years). In the tenth year, as required by Tenn. Code Ann. 9-4-210, there will be two additional offenders serving additional time on their sentences as a result of this bill. The cost per inmate per year is \$21,973.44 (\$60.16 x 365.25 days). The total additional operating cost in the tenth year for two offenders will be \$43,946.88 (\$21,973.44 x 2).
- One Class B felony for aggravated sexual battery every year will serve an additional 16.1 years (an increase from 0.9 years to 17 years). In the tenth year, there will be eleven additional offenders serving additional time on their sentences as a result of this bill. The cost per inmate per year is \$21,973.44 (\$60.16 x 365.25 days). The total additional operating cost in the tenth year for 11 offenders will be \$241,707.84 (\$21,973.44 x 11).
- One Class B felony for aggravated child abuse every three years will serve an additional 16.1 years (an increase from 0.9 years to 17 years). The maximum cost in the tenth year is based on three offenders serving an additional 16.1 years. In the tenth year, there will be three additional offenders serving additional time on their sentences as a result of this bill. The cost per inmate per year is \$21,973.44 (\$60.16 x 365.25 days). The total additional operating cost in the tenth year for three offenders will be \$65,920.32 (\$21,973.44 x 3).

**Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" written in a larger, more prominent script than the last name "White".

James W. White, Executive Director